

# SENATE BILL REPORT

## SSB 6474

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As Amended by House, March 1, 2018

**Title:** An act relating to creating a pilot project for tribal compact schools that accommodates cultural and agricultural events in school attendance requirements.

**Brief Description:** Creating a pilot project for tribal compact schools.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McCoy, Sheldon, Chase, Conway, Frockt, Hasegawa, Hunt, Kuderer, Palumbo, Rolfes, Saldaña and Van De Wege).

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/30/18, 2/01/18 [DPS-WM].  
**Ways & Means:** 2/05/18 [w/oRec].

**Floor Activity:**

Passed Senate: 2/13/18, 44-3.

Passed House: 3/01/18, 86-11.

**Brief Summary of First Substitute Bill**

- Creates a pilot project for Tribal Compact Schools to explore and implement options with respect to: school attendance and calendar requirements; accommodating cultural and agricultural events; and replacing graduating testing requirements with culturally relevant and community-based standards.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 6474 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hawkins, Hunt, Mullet, Padden, Pedersen and Rivers.

**Staff:** Benjamin Omdal (786-7442)

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### SENATE COMMITTEE ON WAYS & MEANS

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** That it be referred without recommendation.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Bailey, Becker, Billig, Brown, Carlyle, Conway, Darneille, Fain, Hasegawa, Hunt, Keiser, Mullet, Palumbo, Pedersen, Ranker, Rivers, Schoesler, Van De Wege, Wagoner and Warnick.

**Staff:** Sarian Scott (786-7729)

**Background:** Tribal Compact Schools. The Legislature authorized the Office of the Superintendent of Public Instruction (OSPI) to enter into state-tribal education compacts in 2013. The schools created by these compacts (Tribal Compact Schools) are exempt from existing statutes and rules regarding school administration, and are subject to the terms agreed upon between the tribes and OSPI.

While Tribal Compact Schools are exempt from most state educational statutes, the compacts generally contain provisions that the schools will follow state curriculum and calendar standards set in Washington law.

There are currently six operating Tribal Compact Schools: Chief Kitsap Academy (Suquamish), Lummi Nation Schools, Muckleshoot Tribal School, Quileute Tribal School, and Wa He Lut Indian School.

Washington School Attendance and Calendar Requirements. Washington State requires schools to have a minimum of 180 instructional days per school year. However, schools may submit a request for a waiver from this requirement for purposes of economy and efficiency. In addition, Washington law provides that a child may be excused from school without penalty for a reason of faith or conscience, or an organized religious activity.

**Summary of First Substitute Bill:** A pilot project is established for Tribal Compact Schools to explore and implement options with respect to:

- school attendance and calendar requirements for the purposes of accommodating cultural and agricultural events; and
- replacing graduation testing requirements with culturally relevant and community-based standards.

Various options in implementation of the project include, but are not limited to:

- obtaining waivers to the 180-day calendar requirement;
- counting student participation in cultural or agricultural programs as instructional days or as excused absences; and
- expanding the two-day limit of excused absences.

Tribal Compact Schools participating in the project must submit a report to the Legislature every four years and include a recommendation on whether the project should be modified, continued, or expanded. The pilot project shall expire August 1, 2030.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education):** *The committee recommended a different version of the bill than what was heard.* PRO: Much learning for tribal students occurs outside of the classroom, often in conjunction with cultural events. Having a pilot project for Tribal Compact Schools would provide an opportunity to have flexible requirements to accommodate cultural activities.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Senator John McCoy, Prime Sponsor; Gayle Pauley, OSPI Assistant Superintendent, Special Programs and Federal Accountability.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** No one.

**Staff Summary of Public Testimony (Ways & Means):** No public hearing was held.

**Persons Testifying (Ways & Means):** N/A.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** N/A.

**EFFECT OF HOUSE AMENDMENT(S):**

- Places OSPI in charge of establishing the pilot project.
- Exempts students attending schools participating in the pilot project from certificate of academic achievement requirements.
- Prohibits statewide high school assessments for students at participating schools from being used to determine whether the student has met the requirements for graduating from a public high school or for assessing the student's career and college readiness.
- Revises administrative details of the pilot project.
- Adds a federal severability clause with respect to requirements for federal funding.